

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE
LITIGATION

JAN ZDANOWICZ,
Plaintiff,

v.

111 WALL STREET, et al.

21 MC 100 (AKH)

Civil Action No.: 09cv2258

**NOTICE OF MOTION TO DISMISS WTC
CAPTIVE INSURED DEFENDANTS
FROM PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that on a day to be determined by this Court, Plaintiff Jan Zdanowicz together with THE WTC Captive Insured Defendants the City of New York and Tully Construction Co., Inc. ("WTC Captive Insured Defendants") jointly apply to the Honorable Alvin K. Hellerstein, U.S.D.J., at the Southern District of New York located at 500 Pearl Street, New York, New York, Room 14-D for an Order dismissing the **WTC Captive Insured Defendants only** from this matter and amending the caption.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, the parties rely upon the attached Memorandum of Law in Support of the Joint Motion to Dismiss WTC Captive Insured Defendants only from Plaintiff's Complaint.

Dated: February 12, 2014

James E. Tyrrell, Jr. /s/
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